

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph M. Wilen

Serial No.: **09/030,675**

Filed: **February 25, 1998**

For: **MOP WRINGER WITH MOP
HANDLE SUPPORT**

Art Unit: **1744**

Examiner:

#5
2.8'
12/11/98

RECEIVED
NOV 4 1998
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

RENEWED PETITION TO MAKE SPECIAL UNDER M.P.E.P. § 708.02(VIII)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully submits the following Renewed Petition To Make Special Under MPEP §708.02 (VIII). Applicant believes that the following Renewed Petition corrects the deficiencies of its previously submitted petition denied by the Office, and thus requests that this Renewed Petition be granted and the application be granted special status and therefore advanced out of turn for examination under 37 CFR 1.102.

Applicant believes that all claims of the above-identified application are directed to a single invention. However, if it is determined by the Office that the claims presented are not directed to a single invention, Applicant requests that the undersigned applicant's attorney be contacted to discuss any restriction requirement entered in this case according to the established telephone restriction practice as provided under MPEP §708.02 (VIII)(b).

NOV 10 AM 10:13
RECEIVED
GROUP 1200

Pursuant to M.P.E.P. § 708.02(VIII)(c), Applicant, through his attorney, has conducted pre-examination searches for patents relating to the above identified application, specifically searching U.S. Class 15, subclasses 119.1, 143-147, 229, 229.1, 229.2, 260-264 and 268, and U.S. Class D32, subclasses 51, 54, among other subclasses. These searches developed the following patents:

<u>PATENT NO.</u>	<u>ISSUE DATE</u>	<u>PATENTEE</u>
2,337,319	12/21/43	Elkington
2,535,244	12/26/50	Von Voorhis et al.
3,199,136	8/10/65	George
3,756,451	9/4/73	Popeil
4,165,550	8/28/79	Burke
4,319,761	3/16/82	Wells
4,417,364	11/29/83	Hammond
4,353,142	10/12/82	Nishiyama, et al.
4,531,251	7/30/85	Pappas, et al.
4,722,113	2/2/88	Olsson
4,407,039	10/4/83	Moss
4,707,877	11/24/87	Griffin
4,731,897	3/22/88	Griffin
4,757,518	7/5/88	Griffin
4,928,342	5/29/90	Friedman, et al.
D308,741	6/19/90	Tsukamoto
5,133,101	7/28/92	Hauser, et al.
5,333,353	8/2/94	Taylor
5,581,839	12/10/96	Ferrell, Jr.
D383,580	9/9/97	Bolster, et al.
5,813,567	9/29/98	Mangano
GB 2276077A	9/21/94	Young

Copies of each of the above-identified patents are enclosed with this petition pursuant to MPED §708.02 (VIII)(d).

Pursuant to 37 CFR §1.111(b) and (c), and MPEP §708.02 (VIII)(e), Applicant submits the following discussion of the cited references.

Elkington discloses a mop wringer having an open topped box like mop receiving receptacle formed from front, back, and bottom plates and with each plate being perforated for

escape of water therefrom. A pair of presser pads (28) are pivoted into engagement with a mop head that is received within the receptacle (12) for applying pressure to the mop head to squeeze or wring out water from the mop head. The presser pads further include arcuate cutouts or notches along their inner surface to enable the plates to close about the mop handle of the mop received within the receptacle with the handle extending therebetween. *Elkington* does not, however, appear to show a mop wringer having the claimed support mechanism for supporting the mop handle externally of the wringer when the mop is not in use.

Van Voorhis et al. discloses a hydraulic device for exerting pressure on a floor mop head to squeeze water and other liquids from the mop head. The device includes a mop bucket or receptacle and a mop compressor (27) having a web (29). A recess (30) is formed in the web for reception of the lower end of a mop handle when the yarn body or head of the mop is positioned in the press chamber (34) of the device. *Von Voorhis et al.* does not appear to disclose the use of a mop wringer designed for use with a conventional mop bucket and which includes the claimed mop handle support for engaging and supporting the handle of a mop when the mop is not in use.

George discloses a mop, which is generally in the form of a sponge mop and which has a cover formed from a series of disposable sheets covering the mop head. *George* further discloses a mop bucket mounted on a rolling cart, which bucket includes a wire rack (15) for carrying the mop (16). The bucket further includes a handle or arm (17) which has a clip (81) having a pair of arms biased toward one another and which is mounted on the handle (79) for receiving and holding the mop handle (19) with the mop resting in the wire basket. *George* differs from the claimed invention, however, in that it does not teach use of a mop wringer that is designed to attach to a conventional mop bucket and which includes a mop handle support that holds and

prevents the mop handle from falling over when the mop is received within the bucket and is not in use.

Popeil shows a mop bucket having a retractable or foldable handle for carrying the bucket. The handle further includes a retractable mop handle holder (25) positioned slightly off center from the bucket handle base. The mop handle holder includes a substantially J-shaped arm or hook that is rotatable into and out of the bucket handle for engaging and holding a mop handle. In use, the mop handle holder is rotated to an exposed position and the mop handle received within the hook shaped portion thereof with the head of the mop within the mop bucket for holding the mop handle in place. *Popeil* differs from the claimed invention in that it does not disclose a mop wringer having the claimed mop handle support.

Burke discloses a mop holder which couples a mop body to a mop handle, the mop holder having a first swivel means 12 permitting a mop handle H to swivel 180° in a vertical plane, and a second swivel means 14 allowing 180° swivel movement of the handle in a horizontal plane (4:3-7). Such a pivotal connection is said to enable operation of the mop in a variety of angles (3:40-4:2). The claimed subject matter distinguishes over *Burke* because *Burke* fails to disclose a wringer assembly that includes a support for receiving and supporting the handle of a mop when the mop handle is positioned thereagainst.

Wells discloses a mop bucket connector which joins a pair of mop buckets in a single assembly whereby both buckets may be transported as a single unit (1:2-25). With such an arrangement, one bucket may be used to rinse the mop, the other for cleaning (1:8-10). Since *Wells* discloses neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Wells*.

Hammond discloses a mop holder which couples lengths of yarn to a mop handle. The disclosed device chiefly comprises a cylindrical sleeve 4 which carries a bundling strap 20 (2:50-68). The strap 20 is tightened about the midpoint of the length of yarn 26 (3:1-5). Since *Hammond* discloses neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Hammond*.

Nishiyama, et al. discloses a mop carrier wherein a mop carrier frame 3 is rotatably pivoted at the lower end of a mop handle (2:51-53). A regulator regulates rotary movement of the mop carrier relative to the mop handle (1:30-35). The regulator limits rotation in the lengthwise direction of the mop carrier frame 3 (4:64-68). Such an arrangement seeks to impart a wider scope of mopping and prevention of wear of parts (8:59-64). Since *Nishiyama, et al* disclose neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Nishiyama, et al.*

Pappas, et al. discloses a mop holder which couples a mop head 8 to a mop handle 10. The device comprises a pair of plates 4, 16, which, when secured to one another by a screw 6, hold the mop head 8 in place (2:34-68). Since *Pappas, et al* disclose neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Pappas, et al.*

Olsson discloses a mop handle stabilizer which is connected to the mop bucket separately from the wringer. The stabilizer is comprised of a bucket attachment member 21, which is fixed to the inside of a bucket (3:27-28), and a handle attachment member 22 carried by the bucket attachment member 21 (3:13-26). *Olsson* neither teaches nor suggests a wringer assembly having any holding means for a mop handle, let alone the flange claimed by Applicant. Accordingly, Applicant's claimed invention is patentable over *Olsson*.

Moss discloses a dust mop handle attachment device which couples a handle to a conventional dust mop, including a clip 12 which removably engages a bracket of shaft 7 on the dust mop frame (2:50-66). The device also includes a connector member 15 connected to the clip 12 at one end and to a handle portion 2 at another end (Fig. 4). A slide 43 slidably mounted on the connector member 15 maintains the handle portion in a fixed angular position with respect to the mop frame, when the slide engages the clip 12. Disengagement of slide 43 permits angular movement of the connector member 15, and thus the handle portion 2, relative to the clip 12 (4:19-40). Since *Moss* discloses neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Moss*.

Griffin, U.S. Patent No. 4,707,877, discloses a wet mop liquid extractor mounted on a rollable support frame and carrying a fixed arcuate pressure plate and a movable pressure plate, with a mop bucket or buckets positioned below the pressure plates. A recess 50 is formed along one side of the movable pressure plate for receiving a mop handle therethrough as the plate is urged against the head of a mop that is positioned on the fixed pressure plate so as to apply pressure to and squeeze excess water or liquid from the mop without interference from the mop handle. In contrast to the claimed invention, however, *Griffin* '877 does not appear to disclose a mop wringer with the claimed mop handle support for engaging and holding the mop handle with the mop being received within a mop bucket to which the wringer is attached for securing and preventing the mop handle from falling.

Griffin, U.S. Patent No. 4,731,797, discloses a modular mop holder which can have its length adjusted to accommodate mops of varying sizes (6:5-15). The device chiefly comprises a basic section 10, to which end sections 11 may be detachably mounted (3:12-25). Since *Griffin*

'797 discloses neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Griffin* '797.

Griffin, U.S. Patent No. 4,754,518, discloses a wet mop squeezer having a rollable support frame and carrying a vertically oriented pressure plate and a pressure roller that is brought into rolling, pressing contact with a wet mop to maximize the squeezing pressure on the mop to extract liquid. The pressure plate includes a U-shaped recess through which the handle of the mop is received as the mop is compressed. The claims appear to distinguish over *Griffin* '518 as *Griffin* does not appear to disclose the claimed mop handle support with a mop wringer.

Friedman, et al. discloses a mop holder removably coupling a disposable yarn-type mop head to a mop handle. The device pins a mop head 10 between a toothed elongated member 22 with an externally threaded rod 26 extending upwardly therefrom, and a shank 12 having a hollow internally threaded section 20 (2:23-41 and Fig. 2). The shank 12 thus threadably engages the threaded rod 26 to removably secure the mop head 10 in place (3:3-5). Since *Friedman, et al* disclose neither a mop wringer assembly nor the claimed mop handle support, Applicant's claimed invention readily distinguishes over *Friedman, et al.*

Tsukamoto discloses a design for a combined mop handle and mop holder, but does not disclose any means to hold or retain a mop handle in place. The claimed subject matter distinguishes over *Tsukamoto* because *Tsukamoto* fails to disclose a wringer assembly that includes a support for receiving and supporting the handle of a mop when the mop handle is positioned thereagainst.

Hauser, et al. disclose a mop handle which includes a pair of bearing members 22, 24 laterally offset from the main mop handle shaft 12. Hand grips 18, 20 are respectively mounted on the bearing members to form additional grasping points (see generally 3:9-63 and Figs. 1 &

2). Since *Hauser, et al.* do not disclose a wringer assembly that includes a support for receiving and supporting the handle of a mop when the mop handle is positioned thereagainst, the claimed subject matter distinguishes over *Hauser et al.*

Taylor discloses a mop wringer support arrangement intended to allow use of a longer wringer arm to increase "leverage", thereby improving wringing capabilities (1:56-60 and 3:19-32). A cross member 8 supports a frontward portion of an otherwise conventional wringer 1 (2:51-61), and mounting projections 12 provide rearward support (3:9-18). Other embodiments (see generally Figs. 4-14) disclose modifications to the mop bucket to achieve the objects of the disclosed device. No means to support a mop handle are disclosed, thereby distinguishing *Taylor* from Applicant's claimed invention.

Ferrell, Jr. discloses a mop handle arrangement comprising sleeves 15, 16 rotatably mounted upon the upper and middle portions, respectively, of a mop handle shaft 14 (2:40-49). The intended effect of this arrangement is to allow the shaft to freely rotate within the sleeves during use, preventing transmission of torsional forces to the user (3:26-38). Since *Ferrell, Jr.* does not disclose a wringer assembly that includes a support for receiving and supporting the handle of a mop when the mop handle is positioned thereagainst, the claimed subject matter distinguishes over *Ferrell, Jr.*

Bolster, et al. disclose a design for a "mop bucket accessory handle", which is connected to a wringer. A mop handle, wringer, and bucket all being shown in phantom lines, none of these items are part of the disclosed design (see Fig. 1). Since the wringer shown in phantom lines does not carry any support for receiving and supporting the handle of a mop when the mop handle is positioned thereagainst, the claimed subject matter distinguishes over *Bolster, et al.*

Mangano discloses a mop bucket having an integral mop stabilizing structure. The mop stabilizing structure is a notched shelf mounted approximately midway along one end of the bucket having a notch formed therein for receiving the handle of a mop. The bucket further includes an anti-skid bottom surface so that when the mop is placed within the bucket and its handle received within the notch, the head of the mop will not slid and possibly dislodge the handle from the notch. *Mangano* does not, however, disclose a mop wringer assembly or the claimed mop handle support and therefore it is believed that the claims distinguish over *Mangano*.

U.K. Patent Application GB 2 276 077 of *Young* discloses a mop wringer having a tooth gear element mounted on a shaft that engages a tooth rack for operating a mop wringing mechanism. The tooth gear element is formed mainly from a synthetic plastic material and has a metal reinforcing element which fits over a corresponding noncircular portion of the rotatable shaft. The use of this metal element reduces the tendency of failure for the mop wringer assembly under torque as applied during the mop wringing operation, while enabling the bulk of the mop wringer to be made from a synthetic plastic material. U.K. patent application of *Young*, however, does not disclose a mop handle support as recited by the claims and therefore it is believed that the claimed invention readily distinguishes over this patent application.

Applicant respectfully submits that its renewed petition now corrects the cited deficiencies of its previous petition filed July 28, 1998, which was denied on the grounds that class 15, subclasses 260-263 should have also been searched. Those subclasses now have been searched and the results of such search are discussed in this renewed petition to make special. Accordingly, it is respectfully requested that Applicant's renewed petition to make special is now in full compliance with the requirements for such petitions under MPEP §708.02 (VIII) and

therefore it is requested that Applicant's renewed petition be granted and the above-identified application be granted special status.

Applicant further has been advised by the Office, in discussions with Mr. Massey of Technology Center 1700, that no fee is required for filing its renewed petition to make special. However, the Commissioner is authorized to charge any additional fees required or credit any overpayment of fees to deposit account number 09-0528

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Kerr', is written over a horizontal line.

Steven D. Kerr
Reg. No. 32,472
D. Scott Sudderth
Reg. No. 34,026

WOMBLE CARLYLE SANDRIDGE & RICE
P.O. Box 725388
Atlanta, Georgia 31139-9388
Ph: (404) 872-7000
Fx: (404) 888-7490
W005.1040
h:\dixon\lgdshare\mac\wilenstatement.doc